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FM JCS WASHINGTON DC
INFO RUEADWD/CSA WASHINGTON DC
RUENAAA/CNO WASHINGTON DC
RUEAHQA/CSAF WASHINGTON DC
RUEADWD/PTC WASH DC
RUEAMCC/CMC CC WASHINGTON DC
RUEOFAA/JSOC FORT BRAGG NC
RUCJAAA/USCINCRED MACDILL AFB FL
RUCIFBA/MAC INTEL CEN SCOTT AFB IL//INW/INZ//
RUCJAAA/USCINCRED MACDILL AFB FL//RCJ2//
RUEBBJB/HQ AFOSI BOLLING AFB DC
RUDHAAB/CDRUSAITAC ARLINGTON HALL STATION VA
RUEOAYB/FSTC INTEL OPS CHARLOTTESVILLE VA
RUCDGDA/CDRMICOM REDSTONE ARS AL//DRSMI-YX//
RUEALGX/SAFE
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FM AMEMBASSY BUENOS AIRES
TO RUEHC/SECSTATE WASHDC IMMEDIATE 7685
INFO RUESNA/AMEMBASSY SANTIAGO 6425
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TAGS PREL, PINS, AR

SUBJ MASSERA INDICTED; NEW DEVELOPMENT IN THE CAMBIASO-PEREIRA CASE; THE SUPREME COURT CLOSES THE CHACARITA INVESTIGATION

REF BUENOS AIRES 04129

1. FEDERAL JUDGE OSCAR SALVI ON JUNE 21 CONFIRMED THE ARREST OF FORMER NAVY COMMANDER EMILIO MASSERA IN A BILL OF PARTICULARS THAT ACCUSES THE FORMER JUNTA MEMBER OF LYING AND WITHHOLDING, DESTROYING OR COVERING UP EVIDENCE IN THE DISAPPEARANCE OF BUSINESSMAN FERNANDO BRANCA IN 1977. ALSO NAMED IN THE JUDGE'S DETAILED INDICTMENT AND PLACED IN CONDITIONS OF ARREST WERE MARTA RODRIGUEZ MCCORMACK, COMMON-LAW WIFE OF BRANCA, AND EDUARDO INVIERNO, A RETIRED NAVY CAPTAIN WHO CONDUCTED AN INVESTIGATION OF BRANCA'S DISAPPEARANCE UNDER MASSERA'S DIRECTION. RODRIGUEZ MCCORMACK WAS ACCUSED IN THE INDICTMENT OF LYING TO THE COURT AND INVIERNO WITH DESTROYING EVIDENCE, INCLUDING TAPE RECORDINGS OF CONVERSATIONS THAT HAD A DIRECT BEARING ON THE CASE.

2. SALVI ORDERED NAVY COMMANDER REUBEN FRANCO TO DETAIN MASSERA AT NAVY FACILITIES FROM WHICH HE MAY NOT BE TRANSFERRED WITHOUT THE COURT'S APPROVAL. SALVI HAD TRANSFERRED CUSTODY OF MASSERA TO FRANCO LAST WEEK ON MASSERA'S RETURN. MASSERA'S LAWYER SAID HE WILL ASK FOR MASSERA'S RELEASE BUT EXPECTS SALVI TO DENY THE REQUEST AND THE LAWYER WILL THEREFORE APPEAL TO THE NEXT HIGHER COURT.

3. MEANWHILE ANOTHER JUDGE, JUAN MARCHETTI, INVESTIGATING THE ALLEGED SHOOTOUT DEATHS OF OSVALDO CAMBIASO AND EDUARDO PEREIRA ROSSI MAY 14, ORDERED A RECONSTRUCTION OF THE EVENT AFTER STUDYING A SECOND AUTOPSY OF THE CORPSES. CARRIED OUT BY COURT-APPOINTED DOCTORS, THE NEW AUTOPSY INDICATED CAMBIASO HAD BEEN BEATEN AND SHOT AT CLOSE RANGE AND PEREIRA HAD BEEN BEATEN AND GIVEN ELECTRIC SHOCKS. THE FIRST AUTOPSY, PERFORMED BY POLICE FORENSICS, "INEXPLICABLY" OMITTED T'ESE FINDINGS, ACCORDING TO MARCHETTI.

4. ALSO ON JUNE 21, THE SUPREME COURT BY A SPLIT 3-2 DECISION ENDED THE INVESTIGATION INTO THE BURIAL IN CHACARITTAS CEMETERY OF 106 PERSONS REPORTEDLY KILLED BY SECURITY FORCES BETWEEN 1976-78. THE COURT RULED IT HAD NOT FOUND IRREGULARITIES "SUSCEPTIBLE TO THE DISCIPLINARY AUTHORITY OF THE COURT," AND THAT THE MORGUE AND THE CEMETERY "HAD FOLLOWED" THE REGULAR PROCEDURES USED THROUGHOUT THE YEARS." THE CASE GREW OUT OF ALLEGATIONS BY HUMAN RIGHTS GROUPS THAT THE ARMED FORCES HAD DELIVERED THE BODIES FOR BURIAL AT THE CEMETERY WITHOUT INFORMING THE APPROPRIATE JUDICIAL AUTHORITIES. A LOWER

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COURT WILL CONTINUE INVESTIGATING ANOTHER ASPECT OF THE CASE INVOLVING POSSIBLE CRIMINAL RESPONSIBILITY OF FORENSIC PERSONNEL. SHLA UDEMAN

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